

FORM PTO-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. DOCKET NUMBER RTSP-0216	
INTERNATIONAL APPLICATION NO. PCT/US00/16489	INTERNATIONAL FILING DATE June 15, 2000	U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 10/018,227	
TITLE OF INVENTION Antisense Modulation of ETS-2 Expression		PRIORITY DATE CLAIMED June 25, 1999	
APPLICANT(S) FOR DO/EO/US Baker and Cowser			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol>			
Items 13 to 20 below concern document(s) or information included:			
<ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>23. <input checked="" type="checkbox"/> Other items or information: Copy of Notification of Missing Requirements</li> </ol>			

U.S. APPLICATION NO. (IF KNOWN) SEE 37 CFR 10/018,227	INTERNATIONAL APPLICATION NO. PCT/US00/16489	ATTORNEY'S DOCKET NUMBER RTSP-0216	
24. The following fees are submitted:		CALCULATIONS PTO USE ONLY	
<b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b>			
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....		\$1040.00 \$890.00 \$740.00 \$710.00 \$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>\$0.00</b>	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).		<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 <b>\$130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =	0	x \$18.00 <b>\$0.00</b>
Independent claims	- 3 =	0	x \$84.00 <b>\$0.00</b>
Multiple Dependent Claims (check if applicable).		<input type="checkbox"/> <b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$130.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.		<b>\$65.00</b>	
<b>SUBTOTAL =</b>		<b>\$65.00</b>	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30 +	<b>\$0.00</b>
<b>TOTAL NATIONAL FEE =</b>		<b>\$65.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).		<input type="checkbox"/> <b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>		<b>\$65.00</b>	
		<b>Amount to be: refunded</b>	<b>\$</b>
		<b>charged</b>	<b>\$</b>
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$65.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1619</u> A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>			
<p>SEND ALL CORRESPONDENCE TO:</p> <div style="border: 1px solid black; padding: 5px; width: 100%;">                 Jane Massey Licata, Reg. No. 32,257                  Kathleen A. Tyrrell, Reg. No. 38,350                  Licata &amp; Tyrrell P.C.                  66 E. Main Street                  Marlton, New Jersey 08053                   Telephone: (856) 810-1515                  Facsimile: (856) 810-1454             </div>			
<u>Jane Massey Licata</u> SIGNATURE  Jane Massey Licata NAME  32,257 REGISTRATION NUMBER  March 20, 2002 DATE			



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **RTSP-0216**

Inventors: **Baker et al.**

Serial No.: **10/018,227**

Filing Date: **Not yet assigned**

Examiner: **Not yet assigned**

Group Art Unit: **Not yet assigned**

Title: **Antisense Modulation of ETS-2 Expression**

"Express Mail" Label No. **EV123991638US**

Date of Deposit - **June 24, 2002**

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327 Arlington, VA 22202

By Kathleen A. Tyrrell  
Typed Name: **Kathleen A. Tyrrell**

Assistant Commissioner for Patents  
**BOX Sequence**  
United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

In response to the "Notification of Missing Requirements" dated **April 24, 2002**, a response to which is due **June 24, 2002**, enclosed herewith is:

(XX) Amendment under 1.825;

(XX) Statement to Support Filing and Submission in Accordance with 37 CFR §§1.821 through 1.825;

(XX) Substitute pages of the Sequence Listing;

(XX) Substitute copy of the computer readable form of Sequence Listing;

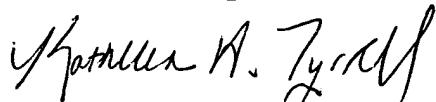
(XX) Copy of Notification of Missing Requirements;

( ) Petition for Three (3) Month Extension of Time;

(XX) Other: Copy of Response to Notification of Missing Requirements dated 2/7/2002 filed by Applicants on March 20, 2002 including copy of executed Declaration and Power of Attorney Form filed therewith.

The Commissioner is hereby authorized to charge any underpayment associated with this communication or credit any overpayment to Deposit Account No. 50-1619. This sheet is attached in duplicate.

Respectfully submitted,



Kathleen A. Tyrrell  
Registration No. 38,350

Date: June 24, 2002

Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: RTSP-0216

Inventors: Baker et al.

Serial No.: 10/018,227

Filing Date: Not yet assigned

Examiner: Not yet assigned

Group Art Unit: Not yet assigned

Title: Antisense Modulation of ETS-2 Expression

"Express Mail" Label No. EV123991638US

Date of Deposit - June 24, 2002

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327 Arlington, VA 22202

By Kathleen A. Tyrell  
Typed Name: Kathleen A. Tyrell

Assistant Commissioner for Patents  
**BOX Sequence**  
United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 CFR §§ 1.821 THROUGH 1.825**

( ) I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.

( ) I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.

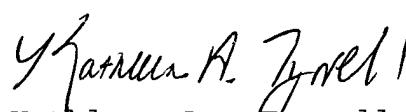
( ) I hereby state that the submission filed in accordance with **37 CFR §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.

(XX) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform to the current Sequence Listing Rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.

(XX) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing submitted herewith.

( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,



Kathleen A. Tyrrell  
Registration No. 38,350

Date: June 24, 2002

Licata & Tyrrell P.C.  
66 E. Main Street  
Marlton, New Jersey 08053

(856) 810-1515



RECEIVED Page 1 of 2  
APR 29 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT		ATTY. DOCKET NO.
10/018,227	Brenda F Baker		RTSP-0216
INTERNATIONAL APPLICATION NO.			
PCT/US00/16489			
I.A. FILING DATE		PRIORITY DATE	
06/15/2000		06/25/1999	
CONFIRMATION NO. 8840			
371 FORMALITIES LETTER			
*OC000000007936746*			

Date Mailed: 04/24/2002  
(RAX) 5/24/02

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

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Telephone: (703) 305-3738

**PART 2 - OFFICE COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/018,227	PCT/US00/16489	RTSP-0216

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FORM PCT/DO/EO/905 (371 Formalities Notice)

RECEIVED THE UNITED STATES  
PATENT TRADEMARK OFFICE  
for the PCT

Paper: Transmittal Letter; copy of Notificaiton of Missing Requirements; executed Combined Declaration; our check for \$65.00 for Missing Requirements fee

Applicant(s): Baker and Cowsert  
Serial No.: 10/018,227  
Filing Date: December 12, 2001  
Docket No.: RTSP-0216  
Date Sent: March 20, 2002

1354

LICATA & TYRRELL P.C.  
ATTORNEY TRUST ACCOUNT

66 EAST MAIN ST.  
MARLTON, NJ 08053

55-33/212

DATE March 10, 2002

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*January 10, 2002*